

**FILED UNDER SEAL**

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA,

Plaintiff,

v.

HERNAN LOPEZ and  
CARLOS MARTINEZ,

Defendants.

CASE NO. CR 15-cr-252

**DECLARATION OF RAMON A. ABADIN IN SUPPORT OF  
OF DEFENDANTS HERNAN LOPEZ AND CARLOS MARTINEZ'S MOTION TO  
COMPEL (1) PRODUCTION OF MATERIALS PURSUANT TO *BRADY* AND FED. R.  
CRIM. P. 16 AND (2) RESPONSES TO DISCOVERY REQUESTS**

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**DECLARATION OF RAMON A. ABADIN**

I, Ramon A. Abadin, state and declare as follows:

1. I am an attorney duly licensed to practice law in the State of Florida and am counsel of record for Defendant Carlos Martinez. I have been admitted *pro hac vice* in this matter. I hereby submit this declaration in support of Mr. Lopez and Mr. Martinez's Motion to Compel (1) Production of Materials Pursuant to *Brady* and Fed. R. Crim. P. 16 and (2) Responses to Discovery Requests filed concurrently herewith.

2. Except as otherwise stated, I have personal and firsthand knowledge of the facts set forth herein and, if called upon to testify as a witness, I would testify competently to this declaration under oath.

3. To date, the government has produced over 10,000 audio and video files to the defense.

4. I have reviewed 693 audio and video files from the government's discovery production.

5. Of the 693 files I have reviewed, approximately 235 [REDACTED]  
[REDACTED].

6. The [REDACTED]  
[REDACTED]. There are also several [REDACTED].

7. For example, some of the [REDACTED] included in the government's discovery depict [REDACTED]

- [REDACTED]
- [REDACTED]
- [REDACTED]

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- | Row | Bar Length (approx. % of total width) |
|-----|---------------------------------------|
| 1   | 45                                    |
| 2   | 55                                    |
| 3   | 65                                    |
| 4   | 40                                    |
| 5   | 50                                    |
| 6   | 60                                    |
| 7   | 75                                    |
| 8   | 85                                    |
| 9   | 55                                    |
| 10  | 95                                    |
| 11  | 35                                    |
| 12  | 40                                    |
| 13  | 65                                    |
| 14  | 45                                    |
| 15  | 50                                    |
| 16  | 40                                    |
| 17  | 55                                    |
| 18  | 85                                    |
| 19  | 100                                   |
| 20  | 65                                    |
| 21  | 55                                    |
| 22  | 45                                    |
| 23  | 50                                    |
| 24  | 55                                    |

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8.

[REDACTED]

[REDACTED]

9. None of the [REDACTED] produced by the government were taken from devices seized from Carlos Martinez or Hernan Lopez, and none of the [REDACTED] or any of the [REDACTED], have any connection whatsoever to Mr. Martinez or Mr. Lopez.

10. The government's discovery also contains approximately [REDACTED]

[REDACTED]

11. The discovery also contains [REDACTED]

[REDACTED]

12. None of the 693 audio and video files I have reviewed make any reference to Carlos Martinez or Hernan Lopez.

I declare under penalty of perjury under the laws of the United States of America that the foregoing facts are true and correct.

Executed this 25th day of September, 2020, in Miami, Florida.

*Ramon A. Abadin*

Ramon A. Abadin

*Attorney for Carlos Martinez*